

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

BRANDON M. MAY,

Petitioner,

v.

No. 22-cv-0302 WJ-KRS

STATE OF NEW MEXICO,

Respondent.

**ORDER TO CURE DEFICIENCIES**

This matter is before the Court on Brandon May's *pro se* Letter Regarding State Sentence Calculation (Doc. 1). He alleges prison officials miscalculated his presentence confinement credit in connection with three state criminal judgments. Such claim must be raised in a 28 U.S.C. § 2241 petition. *See Davis v. Roberts*, 425 F.3d 830, 833 (10th Cir.2005). May shall re-file his claims on the § 2241 habeas form within thirty days of entry of this Order. By the same deadline, he must prepay the \$5.00 habeas fee or, alternatively, file a properly supported *in forma pauperis* motion. The failure to timely comply with both directives will result in dismissal of this case.

**IT IS ORDERED** that within thirty (30) days of entry of this Order, May shall: (1) refile his claims on the § 2241 habeas form; and (2) prepay the \$5.00 habeas filing fee or, alternatively, file a motion to proceed *in forma pauperis* along with an inmate account statement reflecting transactions between October 21, 2021 and April 21, 2022.

**IT IS FURTHER ORDERED** that the Clerk's Office shall **MAIL** May a blank 28 U.S.C. § 2241 habeas petition and a blank *in forma pauperis* motion.



UNITED STATES MAGISTRATE JUDGE